IN THE HIGH COURT OF JUDICATURE AT BOMBAY

ORDINARY ORIGINAL CIVIL JURISDICTION

SUMMONS FOR JUDGMENT NO.775 OF 2004
IN
SUIT NO.2563 OF 2002

Diamensional Securities P.Ltd. ..Plaintiffs

Vs.

Vishal Agarwal ..Defendant

Mr.Omprakash Parihar i/b Arpan Rajput for the plaintiffs

Mr.N.P.Bhavsar for the defendant

CORAM : S.U.KAMDAR, J
DATED : 3RD OCTOBER, 2005

P.C.:

. The suit is on account. It is the case of the plaintiff that there is an oral agreement that the claim amount was settled at Rs. 33,49,070/-. Summary Suit is not maintainable on such oral agreement. Summons for Judgment is dismissed accordingly. Unconditional leave to defend is granted. Suit is transferred to the list of Commercial Causes. Written Statement or points of defence to be filed within four weeks from today. Affidavits, list of documents to be filed within four weeks thereafter. Inspection within four weeks thereafter. Suit to be on board of the

learned Judge taking Commercial Causes.